

# TPC Checklist: Before Emergency TPC Hearing

## Forms used for the TPC.

### Notification of Court Hearings and Chapter 48 Rights after IA supervisor approves hold:

- ☐ Parents: biological, adoptive, adjudicated, alleged and/or presumptive.
- ☐ Children age 12 or older.
- ☐ Fax Tribe or Bureau of Indian Affairs (BIA): Wisconsin (715) 682-4527 and Midwest Region (612) 713-4400 if there is a possibility that the child has a status of Native American.
- ☐ If there is a prior Transfer of Guardianship (TOG), notice both biological parents & legal guardian.

**DOCUMENT:** Name, date, time, and means (i.e. in-person, via fax to prison, etc.) of notice for each party as notification will be needed for Section II of the TPC worksheet, question #3.

### Prior to leaving the parent/caregiver/guardian's home:

- ☐ Have the biological parent/guardian sign the [Authorization Consent to Medical Treatment](#) (DCF-F-2503) form. (Parental refusal/inability to sign shall be presented to the court at the TPC hearing.)
- ☐ Give parents and children over the age of 12 the [Acknowledgement of Notice of Rights and Obligations](#) (JD 1704) form and have them sign it.
- ☐ Obtain child's medical card and any prescriptions or medical equipment needed for the child. If the parent will not provide you with the card, write the information on the card down to fill in the Information for Foster Parents Part A packet.
- ☐ Gather information regarding health concerns, allergies, and any special needs of each child.
- ☐ Obtain each child's Medicaid number from either the EDS or CARES.
  - If necessary, contact Maximus (during business hours) to verify coverage & obtain number.
  - Jerusa Johnson (414) 343-5795 or Vicky Williams (414) 343-5794
- ☐ Ask the parent/guardian if there is a possibility that the child has Native American heritage and status.
- ☐ Gather information for all possible relative placements. (In compliance with Act 79.)
- ☐ Provide biological parent/guardian *Care4Kids Parent Handout* (located in the Orange Placement Packet).
- ☐ (**For Relative Placement**) Complete the [Kinship Care Relationship Verification](#) form (DCF-F-2604) and [Joint Court Ordered Kinship Care & Foster Care Application – Part A](#) packet (DCF-F-2483-E) (located in the Orange Placement Packet).
- ☐ **Complete Birth-to-Three Referral:** Birth to Three referral MUST be completed for *substantiated* cases of abuse/neglect, in accordance with CAPTA & for children under 3 years old OR if the child is between the age of 0-3 with indications of medical or developmental concerns. Parents must be asked to provide parental consent by completing [consent form](#) documenting consent OR refusal to consent; unless DMCPSP has temporary or permanent guardianship. If DMCPSP has guardianship, submit the guardianship court order with the referral – a consent form is not needed. ([IA Policy 33.00](#))
  - ⊕ Complete [Milwaukee County Birth-to-Three referral](#), consent form or guardianship court order, & e-mail to [DCFDMCPSPBirthToThree@wisconsin.gov](mailto:DCFDMCPSPBirthToThree@wisconsin.gov)
  - DOCUMENT in eWiSACWIS: Medical/Mental Health tab in child's case maintenance:
    - Enter first and last service date as date referral was made.
    - Enter provider number 8000158
    - Service Type = Birth to Three Referral

### Immediately after leaving the parent/guardian's home:

- ☐ Contact **PSG (414) 475-2750** to notify of TPC. If needed, request placement.

### CAC Health Screen

- ☐ Foster Care Health Screen must be completed within 2 business days of original custody date.
  - Contact 855-371-8104 same day as TPC, for the next available appointment.

- ☐ Newborns placed in out-of-home care immediately upon discharge from hospital AND child(ren) placed with non-custodial parent(s) are an exception & do not need a CAC health screen.

**Determine least restrictive placement (in consultation with the Tribe, if ICWA applies):**

***Unlicensed (Relative & Non-Relative) Out-of-Home Placement***

- ☐ *Relative unlicensed* placements must be approved by the IA supervisor
- ☐ *Non-relative unlicensed* placements must be approved by IA supervisor and the program manager.
- ☐ Obtain the correct names, nicknames, aliases (other names used, including maiden names), and dates-of-birth for all household members.
- ☐ Provide [Joint Court Ordered Kinship Care & Foster Care Application Part A](#) and explain it will need to be fully completed for pick up by the OCM/FCM at the 5 day re-CSE home visit.
- ☐ (**For Relative Placement**) Complete the [Kinship Care Relationship Verification](#) form and explain this form will also be picked up by the OCM/FCM at the 5 day re-CSE home visit.
- ☐ Provide household information to PSG, they will complete all necessary background checks & generate a provider number for placement (be sure to include all children ages 10 and up). (This provider number will typically be generated within 24 hours.)

NOTE: PSG may not create provider number prior to submission of legal documents to DA's office, so non-relative/non-licensed placements may not pre-fill in the legal document.

***Licensed/Non-Relative Placement of Child (foster care and group settings)***

- ☐ Obtain the provider number for placement from PSG.
- ☐ (If applicable) For TFC (Treatment Foster Care) approval, fill out the [Emergency Higher Level of Care Approval](#) (DCF-F-5184-E) form. IAS must consult with the IA Supervisor and Program Manager to obtain verbal consent for the request. The IAS must send the completed Emergency Higher Level of Care Approval Form to [DCFDMCPSHLOCRequest@wisconsin.gov](mailto:DCFDMCPSHLOCRequest@wisconsin.gov) with the name of the approving Program Manager and when placement is needed (immediately or a specific date). The Ongoing Services Section will notify the supervisor and PSG of the approval.

**Confirming Safe Environments (CSE)**

- ☐ At time of placement, complete assessment of physical environment of home, safe sleep arrangements (i.e. crib or Pack N Play), & caretaker's access to supplies to meet child(ren)'s basic needs.
- ☐ At time of placement, assess for any presenting placement danger threats.

**Provide an Orange Placement Packet for each child at the time of placement**

- ☐ Complete applicable documents in Green Child Placement Folder & Orange Placement Packet.
- ☐ For foster parents, provide the *Questions for Foster Parents* handout, which is in the Orange Packet.
- ☐ Children placed with the non-custodial parent *do not* need an Orange Placement Packet. The only form needed is the [Placement Verification Letter](#) (DCF-F-5190-E).

**Notification to DMCPH Health Unit**

- ☐ Notify DMCPH Health Unit via e-mail same business day or next morning for after hours TPC with the eWiSACWIS case number and the child(ren)'s names/DOB.

**Scan and e-mail TPC (Temporary Physical Custody) Request(s): One TPC request for each child**

E-mail signed TPC request(s) & KIDS to DA's Office with subject "Emergency TPC" to [childwelfare.milwreferrals@da.wi.gov](mailto:childwelfare.milwreferrals@da.wi.gov) by 9 a.m. the day prior to TPC hearing. (State it is a potential FDTC case, if applicable.)

- ☐ *Take*: The time an IAS physically takes a child into TPC (IA supervisor approved).
- ☐ *Hold*: The time after the safety assessment leads to a conclusion that no action less restrictive than taking the child into TPC can control for the child's safety (IA supervisor approved).
- ☐ *Notice*: The time when notification of the court hearing is provided to parents, the Tribe, and children over the age of 12 (The time the first party is noticed).

- ☐ Include the following information in the E-mail:
  1. Do the parents have any AODA issues?
  2. Parents dates of birth.
  3. What is the main reason for the detention?
    - a. What are the impending danger threats to the child's safety?
  4. Have all parents been asked if there is any Native American Heritage?
    - a. If yes, what is the heritage?
    - b. Please fax notice to the tribe or BIA (Bureau of Indian Affairs)
    - c. Is either parent enrolled in a tribe AND a child eligible for enrollment OR is a child enrolled in a tribe?
      1. If yes to either question please indicated where you got that information from.
  5. Is an interpreter needed?
    - a. What language?
    - b. For which parent?
  6. Please indicate Yes or No, is there domestic violence in the home and if so did the child witness the violence?
  7. Did you try to implement Intensive In-home Services, Safety Plan or a Protective Plan?
    - a. If you tried to implement why did they not work?

### **Complete Case Maintenance**

- ☐ Add all case participants and update demographic information (DOBs, SSNs, addresses) for all involved participants; including all household members and all adjudicated and alleged fathers of all children. This information will pre-fill into the legal document that is provided to the court.
- ☐ Update each child's person maintenance to reflect the child's mother and father.
- ☐ For paternity/custody orders contact Susan Medina (414) 257-7990 or Brian Neu (414) 257-5422.

### **KIDS Request**

- ☐ If not yet provided, e-mail designated OA the mother's name/DOB and children's name/DOB.

### **Enter Placement in eWiSACWIS**

- ☐ To enter placements in eWiSACWIS: Create → Placement → Out of home placement.
- ☐ The placement needs to be approved by an IA supervisor to pre-fill in legal document.
- ☐ Services Strip shall be entered for non-custodial parents ONLY (strip #8045977). (See [IA Policy 50.](#))

### **Complete CCAP Check**

- ☐ Biological, adjudicated, presumed and/or adoptive parents and/or legal guardians.

### **Milwaukee County Family Drug Treatment Court (FDTC)**

- ☐ If there are *any* allegations of substance use, notify FDTC Coordinator Rebecca Foley *immediately* prior to submitting request for TPC. Ms. Foley can provide consultation to determine if family meets criteria for FDTC. Phone (414) 257-6632 or e-mail at [Rebecca.foley@wicourts.gov](mailto:Rebecca.foley@wicourts.gov)
- ☐ If e-mailing, include parent(s) and child(ren)s names & dates of birth, brief summary of the reason for TPC, & indicate which parent uses substances, drug of choice, if in treatment, if the parent is aware of FDTC, and a phone number for the parent with the substance abuse history. Ms. Foley can contact the parent to introduce FDTC and set up the screening that could possibly occur prior to the TPC hearing.

### **Create Legal Record for each child taken into TPC:**

- ☐ eWiSACWIS: Actions > Create Casework > Legal Record > manually select child taken into TPC > will prompt to make a legal action > Action is TPC hearing with date on the bottom of the page (in blue) > Save and Close page.

### **Foster Care Notification to School / Education Passport**

- ☐ If child(ren) attend school, electronically complete the Education Passport in eWiSACWIS and email form to [angela.quayle@milwaukeecountywi.gov](mailto:angela.quayle@milwaukeecountywi.gov) and the corresponding school via [this list](#). (*Must be sent within 48 hours of child entering placement.*) ([Education Passport Policy IA 61.00](#))

**Legal document: - DMCPs Request for Temporary Physical Custody or Pick-Up Order**

- ☐ Create Legal Document: eWiSACWIS: Actions > Create Case Work > Legal > Legal Document > BMCW Request for Temporary Physical Custody or Pick-Up Order > Temporary Physical Custody Hearing
  - “II. Worksheet” section of the legal document 7-14. (See TPC Guidelines for further detail):
    - 7) Family Information (Include ICWA & information regarding any alleged, adjudicated, or potential fathers who may or may not be involved including information on why they are not a placement option)
    - 8) What was the original cause for concern that led the DMCPs to make contact and intervene?
    - 9) Detailed description of the actions taken (TPC) to protect the child(ren) and why
      - Explain why each relative or non-relative caregiver was or was not an appropriate placement option under the “*Detailed description of actions taken (TPC) to protect the child(ren) and why*” section. To ensure confidentiality of CPS Records (48.98(7) Stats.), the description may not detail CPS history (i.e. substantiation decisions or concerning CPS history). (See [DMCPs memo 2018-02](#) for examples and guidance)
    - 10) Summary of the incident based on DMCPs contacts and information gathered
    - 11) Any pertinent history that supports the premise that the incident may not be an anomaly and/or the dangerous conditions are a pattern?
    - 12) Information gathered thus far that helps understand more than the incident
    - 13) Justification for Recommendations at hearing
      - In this section, request an “expedited Foster Care Home Study” be ordered for any non-licensed placement (both relative & non-relative placements).
    - 14) Next steps for recommended for inclusion in the order
- ☐ Submit legal document to IA supervisor for review.
- ☐ Print *BMCW Request for Temporary Physical Custody or Pick-Up Order* for IA supervisor’s signature. Original must be given as discovery. Make at least one copy of signed document for DMCPs file.
- ☐ When legal document has been reviewed and approved for signature by IA supervisor, close and return to eWiSACWIS, then save. Then go back into the *BMCW Request for Temporary Physical Custody or Pick-Up Order* legal document and write down the document number located at the top of page. Leave document open (minimize). Send it by: Start > Computer > Local Disk C > WISACWIS > Work > Right click on the doc. # > e-mail to ([childwelfare.milwreferrals@da.wi.gov](mailto:childwelfare.milwreferrals@da.wi.gov)) with subject line “*Emergency TPC*” > Send.
- ☐ **DA’s Office Discovery Packet:**  
Place in order with legal document on top:
  - ☐ Legal Document signed by IAS and IA supervisor
  - ☐ Signed requests for TPC(s)
  - ☐ Notifications of court hearing
  - ☐ KIDS/CARES
  - ☐ CCAP
  - ☐ CPS History: All Access reports, IA’s or CWRs, and SAPs.
  - ☐ Collateral documents; school, medical, mental health, & police records, etc.

*Ensure you have name & contact information for FCM & FCM Supervisor.*